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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)

1033-SS00378

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Typed or printed name Jeaneaux Jordan

Application Number

10/623,274

Filed

July 18, 2003

First Named Inventor

Brian Gonsalves, et al.

Art Unit

2131

Examiner

CHAI, Longbit

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

☐

applicant/inventor.

☐

assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

☒

attorney or agent of record.
Registration number 38,342

☐

attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34 _____

Signature

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512-327-5515

Telephone number

12-3-2006

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.

☒*Total of 1 forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Brian Gonsalves, et al.

Title: SYSTEM AND METHOD FOR DETECTING COMPUTER PORT INACTIVITY

App. No.: 10/623,274

Filed: July 18, 2003

Examiner: CHAI, Longbit

Group Art Unit: 2131

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M/S AF

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

**REMARKS IN SUPPORT OF PRE-APPEAL BRIEF
REQUEST FOR REVIEW**

Dear Sir:

In response to the Non-Final Office Action mailed September 29, 2006 (hereinafter, "the Non-Final Action") and further pursuant to the Notice of Appeal and Pre-Appeal Brief Request for Review submitted herewith, Applicants respectfully request review and reconsideration of the Non-Final Action in view of the following issues.

Claims 1-4, 6, 8-14, 16, 17, 19-26 and 29 are Allowable

The Office has rejected claims 1-4, 6, 8-14, 16, 17, 19-26 and 29, at paragraph 3 of the Non-Final Action, under 35 U.S.C. § 103(a) over Cohen (US 6,477,595 B1), in view of Shaffer (US 6,145,083). Applicants respectfully traverse the rejection.

None of the cited references, including Cohen and Shaffer, disclose or suggest the specific combination of Claim 1. As stated by the Office, Cohen does not disclose or suggest a router that includes blocking logic to selectively initiate a blocking signal to disable communications received from an interface to a wide area network from being sent to an end-user computer over an interface to a local area network, as recited in Claim 1. Likewise, Shaffer does not disclose this feature of Claim 1. In contrast to Claim 1, Shaffer discloses a user

computer that is connected to a telecommunications server via a single network link, where the telecommunications server directs calls to and from multiple user computing devices after converting circuit switched calls to packet switched calls. (*See* Shaffer, col. 4, ll. 15-21, 41-43). The computing device includes a screen saver program that is “configurable with respect to selecting a particular time period, so that the screen saver switches the computing device to a locked mode when the computing device is idle for a period exceeding the preselected period.” (Shaffer, col. 5, ll. 21-25.). Additionally, Applicants note that the claims of Shaffer that are referred to by the Office (*See* Non-Final Action, p. 5) depend from an independent claim, which states that the security system is “in a computing device” and comprises “screen saver means.” (Shaffer, col. 10, ll. 27 – col. 11, ll. 8).

Thus, Shaffer discloses a user computer whose screen saver program restricts functions *at* the computing device. Shaffer does not disclose a router having blocking logic to initiate a blocking signal to disable communications *from being sent to* an end-user computing device, as recited in Claim 1. For example, Shaffer does not disclose any blocking signal sent by the screen saver program to the telecommunications server or any other upstream device that sends calls to the user computer. In addition, even if the user computer disclosed by Shaffer could be said to include a router, a communication would already have been sent to and received by the user computer before the router would be able to block it. Thus, Shaffer does not disclose a router having blocking logic to initiate a blocking signal to disable communications from being sent to an end-user computing device, as recited in Claim 1. Accordingly, Claim 1 is allowable.

Claims 2-4, 6 and 8-9 depend from Claim 1. Hence, claims 2-4, 6 and 8-9 are allowable at least by virtue of their dependency from Claim 1.

In addition, none of the cited references, including Cohen and Shaffer, disclose or suggest the specific combination of Claim 10. Neither Cohen, nor Shaffer, disclose or suggest a method that includes blocking data originating from a wide area data network connection from being communicated to a local data connection to establish a blocking condition, as recited in Claim 10. As stated previously, Shaffer discloses a user computer that is connected to a telecommunications server via a single network link. A screen saver program at the user computer restricts functions *at* the user computer. (*See* Shaffer, col. 4, ll. 15-21, 41-43, col. 5, ll.

21-25, 29-31). Shaffer does not disclose blocking data originating from a wide area network connection *from being communicated to* a local data connection. Even if the user computer disclosed by Shaffer could be said to include both a wide area connection and a local area connection, Shaffer discloses blocking access to memory data via a network link, not blocking data from being communicated from a wide area network connection to a local data connection. Hence, Claim 10 is allowable.

Claims 11-14 and 16-17 depend from Claim 10. Hence, claims 11-14 and 16-17 are allowable, at least by virtue of their dependency from Claim 10.

Further, none of the cited references, including Cohen and Shaffer, disclose or suggest the specific combination of Claim 19. Neither Cohen, nor Shaffer, disclose or suggest a method that includes, during a first period of time, blocking data received from a second port of digital subscriber line routing equipment from being communicated by a first port of the digital subscriber line routing equipment, as recited in Claim 19. As stated previously, Shaffer discloses a user computer having a screen saver that “switches the computing device to a locked mode.” Shaffer does not disclose a method of routing data, at digital subscriber line equipment or any other upstream device, that includes blocking data from being communicated by a first port of the digital subscriber line routing equipment. Hence, Claim 19 is allowable.

Claims 20-22 depend from Claim 19. Hence, claims 20-22 are allowable, at least by virtue of their dependency from Claim 19.

Additionally, none of the cited references, including Cohen and Shaffer, disclose or suggest the specific combinations of Claim 23 and Claim 26. Neither Cohen, nor Shaffer, disclose or suggest blocking logic to selectively initiate a blocking signal to selectively disable communications from being sent over a first interface to a local area network connection to at least one of a plurality of end-user computers in the local area network while allowing communications to be sent over the first interface to at least one other of the plurality of end-user computers in the local area network, as recited in Claim 23. As explained previously, Shaffer discloses a user computer whose screen saver program restricts functions *at* the computing device. Shaffer does not disclose a router having blocking logic to initiate a blocking signal to

selectively disable communications *from being sent* over a first interface to a local area network connection to at least one of a plurality of end-user computers, as recited in Claim 23.

Additionally, neither Cohen, nor Shaffer, disclose or suggest selectively blocking data originating from a wide area network data connection from being communicated to one or more of a plurality of inactive end-user computers while allowing data originating from the wide area network data connection to be communicated to at least one of the plurality of the end-user computers that remains in an active state, as recited in Claim 26. As stated previously, Shaffer does not disclose selectively blocking data from being communicated to one or more of a plurality of inactive end-user computers, as recited in Claim 26. Thus, claims 23 and 26 are allowable.

Claims 24-25 depend from Claim 23. Claim 29 depends from Claim 26. Hence, claims 24-25 and 29 are allowable, at least by virtue of their dependency from claims 23 and 26.

Claims 5, 18 and 27-28 are Allowable

The Office has rejected claims 5, 18 and 27-28, at paragraph 4 of the Non-Final Action, under 35 U.S.C. § 103(a) over Cohen, in view of Shaffer, and further in view of US Patent No. 6,807,666 (“Evans”). Applicants respectfully traverse the rejection. Claims 5, 18, and 27-28 depend from Claims 1, 10 and 26, which Applicants have shown to be allowable. Evans does not disclose or suggest the elements of Claims 1, 10 and 26, which are not disclosed or suggested by Cohen and Shaffer. Thus, Claims 5, 18, and 27-28 are allowable, at least by virtue of their dependency from Claims 1, 10 and 26.

Additionally, the cited references do not disclose or suggest the specific combination of Claim 5. For example, Evans teaches a user configurable period of inactivity after which the user’s computer switches to a logon screen. (Evans, col. 5, line 31-34). Evans does not teach a user configurable period of inactivity after which blocking logic initiates a blocking signal to disable communications from being sent over an interface to a local area network connection to the end-user computer, as recited in claim 5. For this additional reason, Claim 5 is allowable.

Further, the cited references do not disclose or suggest the specific combination of Claim 18. For example, Evans does not teach receiving user defined idle time information and

modifying an idle time inactivity threshold after which a blocking signal is initiated to disable communications from being sent to the end-user computer, as recited in Claim 18. For this additional reason, Claim 18 is allowable.

In addition, none of the cited references, including Cohen, Shaffer and Evans, disclose or suggest the specific combinations of claims 27-28. For example, Evans does not disclose or suggest detecting resumed activity from one or more of a plurality of end-user computers or allowing communications to be sent to one or more of the plurality of end-user computers previously in an inactive state, as recited in claims 27 and 28. For this additional reason, claims 27-28 are allowable.

Claims 7, 15 and 30 are Allowable

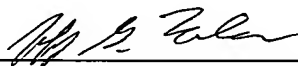
The Office has rejected claims 7, 15 and 30, at paragraph 5 of the Non-Final Action, under 35 U.S.C. § 103(a) over Cohen, in view of Shaffer, and further in view of US Patent No. 6,510,152 ("Gerszberg"). Applicants respectfully traverse the rejection. Claims 7, 15, and 30 depend from Claims 1, 10 and 26, which Applicants have shown to be allowable. Gerszberg does not disclose or suggest the elements of Claims 1, 10 and 26, which are not disclosed or suggested by Cohen and Shaffer. Thus, Claims 7, 15, and 30 are allowable, at least by virtue of their dependency from Claims 1, 10 and 26.

CONCLUSION

In view of the foregoing, Applicants respectfully submit that the pending claims are allowable. Applicants therefore request withdrawal of all pending rejections.

Respectfully submitted,

12-3-2006
Date


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